



IPW  
Recd of

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 24, 2006.*

Vickie D. Wall  
Vickie D. Wall

Applicant : Yuichi Mori, et al. Confirmation No. 3091  
Application No. : 10/542,392  
Filed : July 15, 2005  
Title : PLANT-CULTIVATING DEVICE AND PLANT-CULTIVATING  
METHOD  
  
Grp./Div. : 3644  
Examiner : Susan C. Alimenti  
  
Docket No. : 55610/A400

**LETTER TO CORRECT FILING RECEIPT**

Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
July 26, 2006

Commissioner:

When proofing the Filing Receipt for the above-identified application, we located the following error:

In the Title:

Delete: Method and utensil for cultivating plant

and

Replace with: Plant-cultivating device and plant-cultivating method

Enclosed is a copy of the filing receipt noting the correction to be made, a copy of the first page of the English translation of the application as filed containing the correct title, and pages 1 and 2 of the preliminary amendment submitted with the application on July 15, 2005, requesting amendment of the title.

**Application No. 10/542,392**

Please forward a Corrected Filing Receipt to the undersigned.

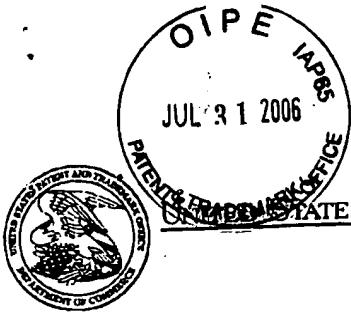
Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
D. Bruce Prout  
Reg. No. 20,958  
626/795-9900

DBP/vdw  
Enclosures

VDW PAS693145.1-\* 07/26/06 2:20 PM



**BEST AVAILABLE COPY**

UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED Page 1 of 3

MAR 11 2006

Christie, Parker & Hale, LLP

DBI

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/542,392	07/15/2005	3643	1150	55610/DBP/A400	42	8	3

**CONFIRMATION NO. 3091**

23363  
CHRISTIE, PARKER & HALE, LLP  
PO BOX 7068  
PASADENA, CA 91109-7068

A400:  
55610  
CASE # 55610 ACTION \_\_\_\_\_  
REMINDER \_\_\_\_\_ DUE DATE \_\_\_\_\_  
DEADLINE \_\_\_\_\_

**FILING RECEIPT**



\*OC000000017974478\*

Date Mailed: 03/01/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Yuichi Mori, Yokohama, Kanagawa, JAPAN;  
Akihiro Okamoto, Yokohama-shi, Kanagawa, JAPAN;  
Makiko Kubota, Enzan-shi, Yamanashi, JAPAN;  
Shinya Ohtsubo, Chofu-shi, Tokyo, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 23363.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP04/00319 01/16/2004

**Foreign Applications**

JAPAN 2003-010198 01/17/2003  
JAPAN 2003-336064 09/26/2003

**If Required, Foreign Filing License Granted:** 02/02/2006

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/542,392**

**Projected Publication Date:** 05/11/2006

**Non-Publication Request:** No

Early Publication Request: No

**BEST AVAILABLE COPY****Title**

~~Method and utensil for cultivating plant~~  
 Plant-cultivating device and Plant-cultivating method

**Preliminary Class**

047

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in effect in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER  
 Title 35, United States Code, Section 184  
 Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted.

**BEST AVAILABLE COPY**

under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



# BEST AVAILABLE COPY

MEB-M968

- 1 -

## DESCRIPTION

### PLANT-CULTIVATING DEVICE AND PLANT-CULTIVATING METHOD

#### 5 Technical Field

The present invention relates to a plant-cultivating device, a plant-film integrate (or composite), and a plant-cultivating method. More specifically, the present invention relates to a plant-cultivating device having a film which can substantially be integrated with the root of a plant; a plant-film integrate having a plant body and a film which has substantially been integrated with the root of the plant body; and a plant-cultivating method using the plant-cultivating device.

15 According to the present invention, the supply of oxygen and the supply of water and a nutrient component to a plant body can preferably be function-separated, and therefore there can be resolved many problems associated with the direct contact of a root of plant and a nutrient fluid (or nutrient solution), as a basis of the nutrient fluid cultivation, inclusive of: difficulty in oxygen supply to the root, necessity of strict control of the nutrient components, the contamination of the nutrient fluid by the root, and the pathogenic contamination of the plant by the contaminated nutrient fluid, etc.

20 Further, by using the plant-cultivating device according to the present invention, the plant to be cultivated can be placed under a water-suppressed condition so that the plant can easily be changed into a high-quality one.

25 Further, by using the plant-cultivating device according to the present invention, the pathogenic contamination of the plant by the contaminated nutrient fluid can be prevented, and therefore it becomes possible to conduct a culture using a sugar-containing medium, i.e. the tissue

30 culture of a cloned seedling or plantlet.

35

#### Background Art



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL NO. EV351242154US

Appl No.	: N/A	Confirmation No.
Applicant	: Yuichi Mori, et al.	
Filed	: July 15, 2005	
Title	: PLANT-CULTIVATING DEVICE AND PLANT-CULTIVATING METHOD (AS AMENDED)	
TC/A.U.	: N/A	
Examiner	: N/A	

Docket No. : 55610/DBP/A400

Customer No. : 23363

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
July 15, 2005

Commissioner:

Prior to examination, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

Appln No. N/A  
Amdt date July 15, 2005

Amendments to the Specification:

Please amend the title as follows:

-- PLANT-CULTIVATING DEVICE AND PLANT-CULTIVATING METHOD --

After the title please add the following:

-- CROSS-REFERENCE TO RELATED APPLICATION

This application is a National Phase Patent Application of International Application Number PCT/JP2004/000319, filed on January 16, 2004, which claims priority of Japanese Patent Application Number 2003-010198, filed on January 17, 2003, and Japanese Patent Application Number 2003-336064, filed on September 26, 2003. --.

Please replace the 8th and 9th paragraphs of page 8 beginning with line 31 and ending with line 36 with the following:

-- Fig. 7, including Figs. 7a and 7b, is a schematic sectional view showing a further example of an embodiment of the plant-cultivating device according to the present invention.

Fig. 8, including Figs. 8a and 8b, is a schematic sectional view showing a further example of an embodiment of the plant-cultivating device according to the present invention. --.